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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,313	07/13/2000	Kazuo Hoshi	0630-1122P	3450

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EXAMINER

ARMSTRONG, ANGELA A

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 08/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/615,313

Applicant(s)

HOSHI, KAZUO

Examiner

Angela A. Armstrong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kirksey (US Patent No. 5,938,447 in view of Schulz (US Patent No. 6,185,538).
3. Kirksey discloses a method and system for creating an audio-visual work, which displays the text version of the words heard in the audio.
4. Regarding claim 1, at col. 5, lines 49-51, Kirksey discloses an embodiment of the system in which words maybe placed on an audiovisual work so that they are only visible to a viewer who uses a special reading device, which reads on "special reproducing method for specially reproducing sound by using an information reproducing apparatus for reading out data from a recording medium having audio data and video data, a special reproducing method of sound."
5. In the abstract, Kirksey discloses that the system displays the text version of the words heard in the audio. However, Kirksey does not specifically disclose the audio data is read out during special reproduction is converted to text via sound recognition. However, speech to text conversion of audio data is well known in the art of speech recognition.
6. In a similar field of endeavor, Schulz discloses a system for editing digital video and audio information, which specifically provides for the recording and reproducing video and audio information and the conversion of the audio source information into text via a speech

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recognition module (col. 4, lines 25-33), which reads on “the audio data read out from a recording medium during special reproduction is converted into text data by sound recognition.”

Schulz teaches that the system is advantageous in obtaining recognized text of different voices (col. 3, lines 15-23) and foreign languages (col. 4, line 58 continuing to col. 6, line 6).

7. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system Kirksey to implement speech recognition of the audio information as taught by Schulz, for the purpose of obtaining the corresponding text of foreign language audio, as suggested by Schulz.

8. Additionally, at col. 5, lines 56-65, Kirksey discloses the words corresponding to the audio are displayed as an integral part of and superimposed on the pictorial scene of the work, which reads on “and the characters representing text data are displayed, being overlapped with special reproduced images.”

9. Regarding claim 2, Kirksey and Schulz teach everything as claimed in claim 1. Additionally, at col. 9, lines 31-37, Kirksey discloses altering the sound reproduction for altering the display time of corresponding text, which reads on “contents of sounds for n-seconds recorded on the recording medium are displayed for one second.”

10. Regarding claim 3, at col. 5, lines 49-51, Kirksey discloses an embodiment of the system in which words maybe placed on an audiovisual work so that they are only visible to a viewer who uses a special reading device, which reads on “special reproducing apparatus for reading out data from a recording medium having audio data and video data.”

11. In the abstract, Kirksey discloses that the system displays the text version of the words heard in the audio. However, Kirksey does not specifically disclose the audio data is read out

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during special reproduction is converted to text via sound recognition. However, speech to text conversion of audio data is well known in the art of speech recognition.

12. In a similar field of endeavor, Schulz discloses a system for editing digital video and audio information, which specifically provides for the recording and reproducing video and audio information and the conversion of the audio source information into text via a speech recognition module (col. 4, lines 25-33), which reads on “the audio data read out from a recording medium during special reproduction is converted into text data by sound recognition.” Schulz teaches that the system is advantageous in obtaining recognized text of different voices (col. 3, lines 15-23) and foreign languages (col. 4, line 58 continuing to col. 6, line 6).

13. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system Kirksey to implement speech recognition of the audio information as taught by Schulz, for the purpose of obtaining the corresponding text of foreign language audio, as suggested by Schulz.

14. Additionally, at col. 5, lines 56-65, Kirksey discloses the words corresponding to the audio are displayed as an integral part of and superimposed on the pictorial scene of the work, which reads on “and the characters representing text data are displayed, being overlapped with special reproduced images displayed in a display device”

15. Regarding claim 4, Kirksey and Schulz teach everything as claimed in claim 1. Additionally, at col. 5, lines 49-51, Kirksey discloses an embodiment of the system in which words maybe placed on an audiovisual work so that they are only visible to a viewer who uses a special reading device, which reads on “reading means for reading out audio data and video data from a recording medium.”

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16. At col. 5, lines 56-65, Kirksey discloses the words corresponding to the audio are displayed as an integral part of and superimposed on the pictorial scene of the work, which reads on “display means for displaying reproduced images based on video data on the display device.”

17. In the abstract, Kirksey discloses that the system displays the text version of the words heard in the audio. However, Kirksey does not specifically disclose the audio data is read out during special reproduction is converted to text via sound recognition. However, speech to text conversion of audio data is well known in the art of speech recognition.

18. Schulz discloses a system for editing digital video and audio information, which specifically provides for the recording and reproducing video and audio information and the conversion of the audio source information into text via a speech recognition module (col. 4, lines 25-33), which reads on “the audio data read out from a recording medium during special reproduction is converted into text data by sound recognition.” Schulz teaches that the system is advantageous in obtaining recognized text of different voices (col. 3, lines 15-23) and foreign languages (col. 4, line 58 continuing to col. 6, line 6).

19. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the system Kirksey to implement speech recognition of the audio information as taught by Schulz, for the purpose of obtaining the corresponding text of foreign language audio, as suggested by Schulz.

20. At col. 5, lines 56-65, Kirksey discloses the words corresponding to the audio are displayed as an integral part of and superimposed on the pictorial scene of the work, which reads on “and the characters representing text data are displayed, being overlapped with special reproduced images displayed in a display device”

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21. At col. 8, lines 25-39, Kirksey discloses the apparatus for creating the audiovisual work which includes an operator station, video text generator, audiovisual input means, and optical manipulator for combining text and audiovisual work, which reads on “control means for instructing reading means, display means and conversion means to perform special reproduction.”

22. Regarding claim 5, Kirksey and Schulz teach everything as claimed in claim 1. Additionally, at col. 9, lines 31-37, Kirksey discloses altering the sound reproduction for altering the display time of corresponding text, which reads on “contents of sounds for n-seconds recorded on the recording medium are displayed for one second.”

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*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258.

The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

AAA  
August 11, 2002

  
Richmond Dorvil  
Primary Examiner